

AMENDMENT TO H.R. 3116
OFFERED BY MR. QUAYLE OF ARIZONA

Strike section 606 and insert the following:

1 SEC. 606. PROHIBITION ON IMPEDING CERTAIN ACTIVITIES
2 OF U.S. CUSTOMS AND BORDER PROTECTION
3 RELATED TO BORDER SECURITY.

4 (a) PROHIBITION ON SECRETARIES OF THE INTE-
5 RIOR AND AGRICULTURE.—The Secretary of the Interior
6 or the Secretary of Agriculture shall not impede, prohibit,
7 or restrict activities of U.S. Customs and Border Protec-
8 tion on land that is located within 100 miles of the inter-
9 national land borders of the United States that would oth-
10 erwise be under the jurisdiction of the Secretary of the
11 Interior or the Secretary of Agriculture in order to achieve
12 operational control over the international land borders of
13 the United States.

14 (b) AUTHORIZED ACTIVITIES OF U.S. CUSTOMS AND
15 BORDER PROTECTION.—Notwithstanding any other pro-
16 vision of law, U.S. Customs and Border Protection shall
17 have access to land under the jurisdiction of the Secretary
18 of the Interior or the Secretary of Agriculture that is lo-
19 cated within 100 miles of the international land borders
20 of the United States for purposes of conducting the fol-

1 lowing activities on such land that assist in securing the
2 international land borders of the United States:

3 (1) Construction and maintenance of roads.

4 (2) Construction and maintenance of fences.

5 (3) Use vehicles to patrol.

6 (4) Installation, maintenance, and operation of
7 surveillance equipment and sensors.

8 (5) Use of aircraft.

9 (6) Deployment of temporary tactical infra-
10 structure, including forward operating bases.

11 (c) PROTECTION OF NATURAL AND CULTURAL RE-
12 SOURCES.—The activities described in subsection (b) shall
13 be conducted, to the maximum extent practicable, in a
14 manner that the Commissioner of U.S. Customs and Bor-
15 der Protection determines will best protect the natural and
16 cultural resources on Federal lands.

17 (d) PROTECTION OF LEGAL USES.—This section
18 shall not be construed to provide—

19 (1) authority to restrict legal uses, such as
20 grazing, hunting, or mining, on land under the juris-
21 diction of the Secretary of the Interior or the Sec-
22 retary of Agriculture; or

23 (2) any additional authority to restrict legal ac-
24 cess to such land.

1 (e) LIMITATION REGARDING INTERMINGLED PRI-
2 VATE AND STATE LAND.—This section shall not apply to
3 any private or State-owned land within the boundaries of
4 Federal lands.

